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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,704	06/18/2001	Kosei Oguro	NEC 183654	1040
27667	7590	01/12/2006	EXAMINER	
HAYES, SOLOWAY P.C. 3450 E. SUNRISE DRIVE, SUITE 140 TUCSON, AZ 85718			SMITH, TRACI L	
			ART UNIT	PAPER NUMBER
			3629	
DATE MAILED: 01/12/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,704

Applicant(s)

OGURO, KOSEI

Examiner

Traci L. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to papers filed on October 31, 2005.
2. Claims 1, 6 and 11 have been amended.
3. Claims 1-15 are pending.
4. Claims 1-15 are rejected.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5 724 520; Goheen; March 3, 1998.
7. As to claims 1, 6 and 11 | A ticketless system including a network system wherein a reservation center, a payment center, and an entrance gate are connected by a network, said ticketless system comprising:
8. first notification means for notifying said first user terminal of a plurality of first data from said ticket issuing center in response to a request from a first user terminal connectable to said network, said plurality of first data including site data representing a site, time- of-day data representing an admission time to said site, and price data for admittance to said site;

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9. **Goheen teaches a ticketing network center for specific flight information reservations and authorizations(C. 5 I. 4-10)**

10. second notification means for notifying said ticket issuing center of second data selected among said plurality of first data, third data for identifying said first user terminal, and fourth data representing an account for payment by an owner of said first user terminal from said first user terminal; **transferring payment(C. 5 I. 13)**

11. third notification means for notifying said payment center of said price data included in said second data sent to said ticket issuing center by said second means and said fourth data; notification **credit card payment verified while online(C.5 I. 14).**

12. payment means, in said payment center, for making a payment using said price data and said fourth data notified by said third notification means; **Payment authorization(C. 5 I. 20-23).**

13. fourth notification means for notifying said ticket issuing center of fifth data for identifying said second user terminal from said second user terminal connectable to said network at the site represented with said site data included in said second data on an admission time to said site represented with said time-of-day data included in said second data, after payment by said payment means; and **revised reservations and a new(second) flight(C. 6 I. 14-16).**

14. permission means for permitting the owner of said second user terminal to pass through an entrance gate installed at said site represented with said site data included in said second data when said fifth data coincides with said third data. **Individual validation; allowing passenger to enter plane using a smart card(C. 5 I. 61-67.)**

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15. without physical ticket carried by user. **Passenger provided name and/card number.(C. 6 I. 1-8).**

16. As to claims 2, 7 and 12 Goheen teaches payment via a credit card. (C. 4 I. 11).

17. As to claims 3, 8 and 13 Goheen teaches where gohen teaches a "mobile airline communication unit" permission mechanism that communicates with the central computer system verifying that the information the "mobile airline communication unit" coincides with the information that was entered at time of reservation. It then allows the user to pass through gate. C. 3 I. 14-29 Gohen further teaches that time communication unit is at a particular gate, this implies the communication unit is sending it's location(fifth data set) to the central computer telling the central computer the user identified wishes to pass thru the gate where the communication unit is located. C.8 I. 1-10

18. As to claims 4, 9 and 14 Goheen teaches correspondence across a terminal to access proper validations and grants access once validated using a smart card(C. 5 I. 63-67).

19. As to claims 5, 10 and 15 Goheen teaches telephone number of terminals users(C.4 I. 11 and C. 5 I. 2).

Response to Arguments

20. Applicant's arguments filed October 31, 2005 have been fully considered but they are not persuasive.

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21. Applicant argues that the reference fails to teach the second terminal as "user owned". The examiner notes that claim 1 fails to claim the second terminal as "user owned", furthermore, user is a broad term, in which the user could also be a airline employee.

22. Applicant further argues that a smart card is not a "physical ticket" and makes that statement that "a piece of paper, smart card or a stone tablet is a physical ticket if it is embedded with reservation information". In light of this statement the examiner asks then does the applicants "device" that makes the call not a physical ticket as it must be embedded with some type of reservation information in order to identify the user attempting to gain access. Therefore, the device that is carried by the user can also qualify as a "physical ticket" under applicants own definition in the arguments.

23. As to the applicants arguments regarding the newly added limitation of carried by said user, examiner notes the section in the above rejection in which Goheen discusses how a user gains entrance without a ticket, giving the example of a lost ticket. Therefore Goheen teaches gaining entrance without carrying the physical ticket.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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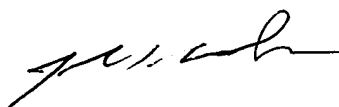
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Smith whose telephone number is 572-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLS



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